

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

ANGELO DENNINGS, *et al.*,  
on behalf of himself and  
all others similarly  
situated,

*Plaintiffs - Appellees,*

v.

GORDON B. MORGAN and  
JEREMY DE LA GARZA

*Objectors - Appellants,*

v.

CLEARWIRE CORPORATION

*Defendant - Appellee.*

No. 13-35491

D.C. No 2:10-cv-1859-JLR  
Western District of Washington  
at Seattle

**JOINT STIPULATION**

By Order dated September 9, 2013, this Court granted Plaintiffs-Appellees' motion for summary affirmance of the district court's May 3, 2013 order awarding attorneys' fees and expenses; and denied all other pending motions as moot. (Order, No. 13-35491, Dkt. Entry 24.)

To the extent any further issues remain in this appeal, in accordance with FRAP Rule 42(b), Plaintiffs-Appellees ("Plaintiffs"), Defendant-Appellee

Clearwire Corporation (“Clearwire”), and Objectors-Appellants Jeremy de la Garza and Gordon Morgan (“Appellants”) hereby agree to the dismissal of this appeal with each party to bear its own costs, and ask the Court to so order.

Regardless of whether further issues remain, Plaintiffs, Clearwire, and Appellants ask the Court to enter an order that each party will bear its own costs. Plaintiffs and Clearwire agree to each party bearing its own costs in exchange for the agreement of Appellants and Appellants’ counsel to not seek any further appellate review in the above mentioned litigation, *Dennings et al. v. Clearwire Corp.*, No. 2:10-cv-1859-JLR (W.D. Wash.) (including Appellants’ appeals to this Court). No other consideration is being exchanged for these agreements.

Dated: September 19, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 19<sup>th</sup> day of September 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system thus effectuating service of such filing on all ECF registered attorneys in this case. I further certify that I served the following participants in the case that are not registered CM/ECF users by USPS First Class mail, postage prepaid.

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/s/ Christopher A. Bandas  
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